

ORDINANCE NO. 3544

BILL NO. 28 (2008)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR THE KAA NAPALI/HYATT FORCE MAIN REPLACEMENTS, WEST MAUI COMMUNITY PLAN AREA, FISCAL YEAR 2008 BUDGET ORDINANCES (ALSO KNOWN AS HYATT/KAA NAPALI FORCE MAIN REPLACEMENTS)

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Request for Loan. The County of Maui, pursuant to Section 342D-83 through Section 342D-87, Hawaii Revised Statutes, has submitted an application for a State Water Pollution Control Revolving Fund Loan ("SRF loan") to the Director of the Department of Health, State of Hawaii, to finance the construction of the Kaanapali/Hyatt Force Main Replacements, West Maui Community Plan Area, Fiscal Year 2008 Budget Ordinances (also known as Hyatt/Kaanapali Force Main Replacements).

Under the terms and conditions anticipated with regard to such SRF loan, the County shall repay, over a term of twenty years, the principal amount, which shall not exceed \$1,750,000 at a fixed rate of interest which shall not exceed the Bond Buyer's 20-year general obligation bond issue.

SECTION 2. Council Authorization. Pursuant to Section 2.20.020 of the Maui County Code, the Council hereby authorizes the Mayor to enter into an intergovernmental agreement, which would include the execution of all necessary documents between the State of Hawaii and the County of Maui relating to the SRF loan to finance the construction of the Kaanapali/Hyatt Force Main

Replacements, West Maui Community Plan Area, Fiscal Year 2008 Budget Ordinances (also known as Hyatt/Kaanapali Force Main Replacements), including a pledge of the County's full faith and credit, including but not limited to, the County's general taxing power as security for repayment of the loan and payment of interest and loan fees, and a covenant to exercise the County's authority as needed. The repayment of principal, interest, and any loan fees, shall be a first charge on the General Fund of the County.

SECTION 3. Effective Date. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



DAVID A. GALAZIN
Deputy Corporation Counsel
County of Maui

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WE HEREBY CERTIFY that the foregoing BILL NO. 28 (2008)

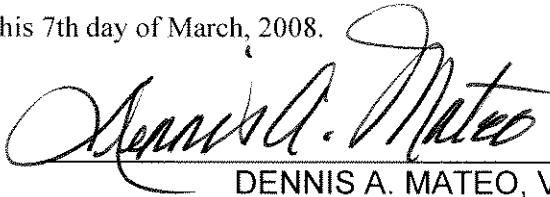
1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 7th day of March, 2008, by the following vote:

G. Riki HOKAMA Chair	Dennis A. MATEO Vice-Chair	Michelle ANDERSON	Gladys C. BAISA	Jo Anne JOHNSON	William J. MEDEIROS	Michael J. MOLINA	Joseph PONTANILLA	Michael P. VICTORINO
Excused	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

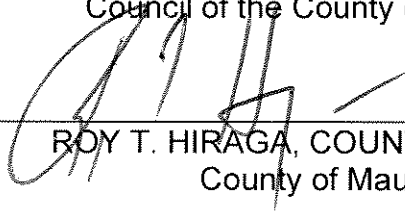
2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 7th day of March, 2008.

DATED AT WAILUKU, MAUI, HAWAII, this 7th day of March, 2008.

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OFFICE OF THE MAYOR

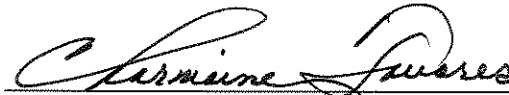


DENNIS A. MATEO, VICE-CHAIR
Council of the County of Maui



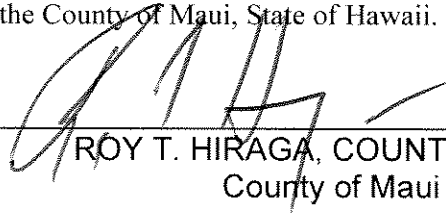
ROY T. HIRAGA, COUNTY CLERK
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 9th DAY OF MARCH, 2008.



CHARMAINE TAVARES, MAYOR
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. 3544 of the County of Maui, State of Hawaii.



ROY T. HIRAGA, COUNTY CLERK
County of Maui

Passed First Reading on February 22, 2008.
Effective date of Ordinance March 9, 2008.

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OFFICE OF THE
COUNTY CLERK

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 3544, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

County Clerk, County of Maui